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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PEARISON WOODS,

Plaintiff,

vs.

AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO; and AMERICAN FEDERATION
OF STATE, COUNTY AND MUNICIPAL
EMPLOYEES LOCAL 4041,

Defendants.

Case No: 2:23-cv-01934-RFB-DJA

**DEFENDANT AMERICAN
FEDERATION OF STATE, COUNTY
AND MUNICIPAL EMPLOYEES, AFL-
CIO'S MOTION TO REPLACE ITS
CARRIER'S REPRESENTATIVE FOR
TELEPHONIC OR VIRTUAL
ATTENDANCE AT EARLY NEUTRAL
EVALUATION CONFERENCE**

Defendant AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO ("Defendant" or "AFSCME"), by and through its attorneys at LIPSON NEILSON P.C., hereby respectfully requests that the telephonic or virtual appearance of Defendant's carrier, Ms. Patty Dail, at the Early Neutral Evaluation ("ENE"), as approved in the Court's Order dated March 26, 2024 (Doc. No. 28), be excused, and she be replaced with Ms. Meredith Mayberry as representative of Defendant's carrier.

Ms. Patty Dail will unfortunately be unable to attend the telephonic or virtual ENE scheduled on June 5, 2024 at 9:00 a.m., per the Court's Order Granting Stipulation to Continue Early Neutral Evaluation Session (Doc. No. 29), due to a conflict which arose after the Court was notified of her appearance. Defendant therefore requests the Court

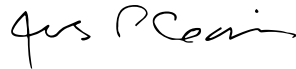
1 to excuse Ms. Patty Dail from attendance at the ENE session, and that Ms. Meredith
2 Mayberry be instead allowed to attend in her place and stead.

3 AFSCME's insurer is Travelers Insurance. Ms. Meredith Mayberry is also a Claim
4 Executive assigned to this case along with Ms. Patty Dail. Ms. Meredith Mayberry
5 resides outside Nevada. She also has significant experience with court conferences,
6 mediations and settlement conferences and understands the time and attention needed
7 for the ENE process. It would be a significant burden of time and expense if Ms.
8 Meredith Mayberry were required to personally attend the ENE. She will be available
9 virtually by telephone for the duration of the ENE, and will participate in good faith.

10 Wherefore, Defendant AFSCME respectfully requests this Court for an Order
11 excusing Ms. Patty Dail from attendance at the ENE session, and allowing Ms. Meredith
12 Mayberry to attend the ENE in Ms. Patty Dail's place and stead. Defendant AFSCME
13 also respectfully requests this Court for an Order allowing Ms. Meredith Mayberry, to
14 appear telephonically or virtually for the early neutral evaluation currently set on June 5,
15 2024 at 9:00 a.m.

16 DATED this 1st day of May, 2024.

17 LIPSON NEILSON P.C.

18 

19 By:

20 JOSEPH P. GARIN, ESQ. (NV Bar No. 6653)
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22 Las Vegas, Nevada 89144

23 *Attorneys for American Federation of State,
24 County and Municipal Employees, AFL-CIO*

25 **ORDER**

26 IT IS SO ORDERED.

27 UNITED STATES MAGISTRATE JUDGE
28 Dated: 5-20-24

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 1st day of May, 2024, service of the foregoing
**DEFENDANT AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL
 EMPLOYEES, AFL-CIO'S MOTION TO REPLACE ITS CARRIER'S
 REPRESENTATIVE FOR TELEPHONIC OR VIRTUAL ATTENDANCE AT EARLY
 NEUTRAL EVALUATION CONFERENCE** was made upon each party in the case who
 is registered as an electronic case filing user pursuant to Fed. Rule Civ. P. 5(b)(3), and
 Local Rule 5-4, as follows:

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/s/ Michele Stones

An Employee of LIPSON NEILSON P.C.